

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

Vinayak R. Pai Defined Benefits Pension Plan

Plaintiff

The Charles Schwab Corporation, et al.

Defendant

Civil Action No. 08 2058

SC

Summons in a Civil Action

To: The Charles Schwab Corporation, (see attached)
(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:
Blair A. Nicholas Bernstein Litowitz Berger & Grossmann LLP 12481 High Bluff Drive, Suite 300 San Diego, CA 92130
(858) 793-0070

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Date: APR 21 2008
Format mm/dd/yyyy

Deputy clerk's signature

HELEN L. ALMACEN

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____,
by: Format mm/dd/yyyy

(1) personally delivering a copy of each to the individual at this place, _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____; or

(4) returning the summons unexecuted to the court clerk on _____
Format mm/dd/yyyy

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ ⁰_____.

Date:

Format mm/dd/yyyy

Server's signature

Printed name and title

Server's address

Attachment to Summons

Charles Schwab & Co. Inc.
Charles Schwab Investment Management, Inc.
Schwab Investments
Charles R. Schwab
Evelyn Dilsaver
Randall W. Merk
Gregory Hand
George Pereira
Donald F. Doward
Mariann Byerwalter
William A. Hasler
Robert G. Holmes
Gerald B. Smith
Donald R. Stephens
Michael W. Wilsey
Jeff Lyons